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Independent *W. H. T. H.*
S P E E C H
place in their union the Southern
OF *by Congress*
HON. LANGDON CHEVES,
IN THE
SOUTHERN CONVENTION,

5.10 *10-25-27*
AT NASHVILLE, TENNESSEE,

NOVEMBER 14, 1850.



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SPEECH.

WE meet on a melancholy occasion. It is to devise the means of defending the Southern States against a great and alarming danger, with which we are not threatened by a foreign foe or a common enemy, but by our fellow-citizens, whom fraternal feelings, whom fidelity to plighted faith, and whom gratitude for great benefits, which, more than all other causes, have made them great, wealthy and powerful, should have made our hearty friends, and our devoted allies in all adversity. Instead of which, we find them our most unjust oppressors, our bitter and most unappeasable enemies. Having deprived us, practically, of all power under the common government which bound us together, they are aiming at the subversion of our dearest rights, the destruction of our most valuable property, and the desolation of our country.

Our inquiry will, of course, be of Southern rights, Southern wrongs, and Southern dangers. The general rights of the Southern States are those of equal, independent, unabridged sovereignties. Our independent sovereignty was asserted from the beginning of the government, and maintained triumphantly, within a few years after the adoption of the Constitution of the United States. The old federal doctrines, of strong government and constructive powers, were put down. In the South and West, there was but one voice on the subject. Such was the devotion to State independence, such the generous spirit of the people of the South and West, as expressed in the resolutions of Virginia and Kentucky, in 1798, that, had not the dangers then contemplated, though not amounting to a tithe of those by which we are now threatened, been averted at the polls, it would have been done by force. The base idea, of taking "the best we could get," entered into no mind. The only questions were, what were our rights, our whole and unabridged rights, and how they should be maintained? The universal public scorn would have scathed, with the power of the vivid lightning, the dastard who would have consented to accept compromises, or talk of taking a fragment of those rights, as "the best we could get." Who would then have dared to propose submission to our equals? Who would then have been mean enough even to deliberate on such degradation? But the noble spirit of that day seems to be extinguished; and, unless it can be roused, you are destined to become "the basest, meanest of mankind." You will suffer the most conspicuous infamy that ever characterized a people. You will cease to be a people, and your homes and

your homes and hearths will be occupied by those who are now your slaves.

The danger, however great, which we suffer, is nevertheless from our own creature. The States have all sovereignty. They have only granted to the Union, as their agent, in trust, the execution of certain limited functions. This great and portentous power, which now hangs over us, would be dissipated, like a cloud, if it only covered constitutional ground. It surprises us, on investigation, to see how little sovereignty is vested in a government that now looms, as the sailors say, immensely large. It has no distinct identity. It has not even a name of identity. It has no power, under the Constitution, to acquire, by conquest or otherwise, an inch of territory, except for the seat of government, and, with the consent of the States, for forts and arsenals. This was the doctrine of the federalists, who are the present freesoilers, when Louisiana was acquired, and it is a sound constitutional doctrine. The appropriation of that territory, in the form of new States, was merely by the acquiescence of the several independent States in whom it was vested. It is no more authorized by the Constitution of the Union, than was the Missouri Compromise, which excluded slavery beyond the line of 36 degrees, 30 minutes, which is wholly founded on the acquiescence of the several States. Time, with that acquiescence, has given validity to these transactions. According to sound constitutional law, California is not, and cannot be a State, without the acquiescence of each and every State of the Union. Whether she is a State or not, may yet be a question, before "the great argument," pending between the South and the North, shall be finally concluded.

But admitting that California is a State, and that, according to the forms of the Union, her admission is valid, her introduction, under all the circumstances, with the exclusion of slavery, is the most prominent of the recent wrongs that the South has suffered. It was tyrannical, it was fraudulent, it was insulting. The territory was acquired by your blood and treasure, to a much greater extent than by those of the section of country which has bereaved you of all share in it. Can any tyranny be greater than to rob you of it? You had as full and clear a right to it, in equity and law, as you have to the soil of the States which you occupy and cultivate; and the miserable pretences by which you were excluded from it, only increased the injury, by the insults which they constitute. It is said that the admission of California is not inconsistent with the Constitution, by which is meant merely that Congress has the power to admit a new State into the Union. The highest violation of the Constitution is to employ the use of its forms to violate its spirit. The great object of such institutions is the security of the rights of the citizen. Now, the admission of California was expressly with a view to destroy your property in the territory; and to make it instrumental in destroying slavery within all the States. Is it not farcical, then, to say that it was constitutional? Had they come into your domestic territory, and turned you out of your homes, it would not have been a clearer violation of right, or more unjust, though the violence might have been greater.

The manner, too, eminently bore the impress of tyranny. The mili-

tary power, of which all free States are, or ought to be, in the highest degree jealous, was the immediate instrument used for its accomplishment. A subordinate officer, in regular rank not exceeding, I believe, the grade of colonel, calls upon a population, contemptible in number, disqualified in character, whether recent squatters or the simple and ignorant conquered people, to perform the great work of statesmen, to appropriate to their own use a vast territory, equal to the aggregate extent of many of the largest States in the Union, embracing all our ocean border, all our ports and harbours on the great Pacific, to one foot of which not one, nor all of them, had a political right. Does the history of nations, from the earliest records to the present time, furnish any thing like a parallel to it? Was ever a people treated with such utter contempt by one branch of their government?

These grave and learned legislators form a constitution, and demand admission into the Union, and begin by a violation of the Constitution of the Union, in making a claim to two representatives instead of one, and contrary to an express article of that instrument, which required that the mode and manner of their election should have been *previously* prescribed by the Legislature of the State. Their haste was too great even to wait for the establishment of a Legislature. In better times, when your old, well-tried and established citizens respectfully applied for admission into the Union, such extravagances were not dreamt of, nor would they have been tolerated; yet Congress admitted this monstrous deformity, with none of the probationary tests which had always before been required, with a haste which forbade all investigation, by the people of the Union, of the physical character of the country, or the fitness of the population to form a State, or the manner in which these pretended rights had been exercised. The miserable juggle of *non-intervention* was played off. It was alledged that Congress had no power to control the small and motley population which wantonly presumed to do this great political act. How false, how impudent an assertion! Congress had undoubtedly a right to govern and dictate the mode and manner of their admission into the Union, whether they had the power to make California a State or not, which, as has already been shown, is at least very questionable. All other States have gone through a probationary course; but California, even in its swaddling clothes, in haste and with violence, is forced into the Union, with all these and many more imperfections on its head, under the absurdity of non-intervention. Of this puerile fancy, any man of common sense would be ashamed. Yet I understand that the paternity of it belongs to a distinguished gentleman who very modestly aspires to be put at the head of the government of the United States, and that his principal claim on the Southern States is founded on this great invention. Statesmen, now-a-days, invent principles to suit occasions, as readily as our eastern friends invent instruments for the paring of apples, or making of pins, and though without their usefulness or merit, we as readily adopt them. One might suppose they had been diligent students in the Academy of *Lagado*. It has been asserted, by this distinguished gentleman, that the meagre group of California had a right, uncontrollable by Congress, or any other power, to form themselves into a State, and, of course, to

appropriate to their own use, this vast territory, the whole ocean coast, and the most valuable mines in the world; and if this great inventor be right, there are no rights of domain reserved to the United States: for, according to him, they are a sovereign people. Is it not monstrous, even in language, to hear such an assemblage of persons as these were, called a *people*, by which is meant a State, and to say that, before their admission into the Union, they could exercise sovereignty over a large portion of the continent?

California did not belong to them, any more than it did to the grand Turk. It was conquered by the people of the United States, and ceded to the people of the United States in sovereignty. The sovereignty thus ceded was vested either in the United States, as a consolidated body, or in the States collectively, as independent sovereigns. If the former, the population of California could not budge an inch, except under the authority of the government of the United States, which had all the powers of an absolute sovereign over them. If the latter, then the like powers were vested in the States, under whose acquiescence the government of the Union could control them, as was done in the case of Louisiana. If this Senator be right, as to the power of the population, they could have re-annexed the territory to Mexico, instead of the United States. Why not? According to him, they were not under the control of the United States, or any other sovereign. The true question is, was California *fairly* admitted into the Union? The negative of this proposition has, I think, been already abundantly proved. But I go on. A large portion of the small population of the territory was decidedly opposed to the formation of a State, and desirous of a territorial government; but they were silenced by the grossest misrepresentations. An agent of the general government was sent to California, to co-operate in the establishment of a State which should exclude slave labour. He was a secret agent, so far as the people of the Union or the legislative power of the Union was concerned. No one doubts what he was sent there for, or what he did, notwithstanding the arts with which the transaction was covered. No trace of his instructions can be discovered: all that we can learn is, that he understood the views of the President and his cabinet; and, notwithstanding all denials to the contrary, no one doubts that his business was to advance the great work, of bringing this territory into the Union as a non-slaveholding State. Was not this a gross fraud upon the South? In better times, the President and his ministers would have been impeached for this gross abuse of power; and, if justice had been done, would have been dismissed from office. To lull the South into security or acquiescence, it was asserted, with the utmost confidence, in Congress, and by all the agents and presses of the freesoilers, that the South had no interest in the question, as slave labour could not be employed in the territory. Now this is an absolute falsehood. There is no portion of the United States in which slave labour could be so usefully and profitably employed. Mining is the proper labour of slaves, and, for that purpose, where they have existed, they have been employed in all countries and times.

On this point, the slave owners would have thought for themselves,

and soon have dissipated the error and misrepresentation. But they were met by another misrepresentation, which, I think, I shall prove to be equally false, by those who had the power to make their opinion prophetic, that slaves entering the territory would be, by that act, emancipated, under the Mexican laws, which were alleged to be of force in the territory. By this assertion, coming from such a source, the slave owner was intimidated; and, before he had time to look about him, the contrivances of a free State estopped him. The slaveholding States were thus deprived of vast advantages, which their slaves would have yielded them. These advantages have been enjoyed by all the vagabonds of the world, and even by foreign convicts. Now, this opinion I believe to have been as unfounded, as that the territory was not fitted for slave labour.

The alleged law of Mexico was declared by revolutionary and military governments, in which the people of Mexico had no agency. The first act simply declared that slavery was abolished. Within a very short time after, (this fact proving the ephemeral, unstable and unauthorized character of these governments) under a new constitution, as it was called, taking no notice of the first, treating it as if it had never existed, it was repeated that slavery was abolished, and that the owners should be compensated for their property. This compensation was equitably, and, I think, in legal construction, a condition precedent, of the performance of which, there is not a tittle of evidence. Can slavery, then, be said to have ceased in Mexico? California was a distant territory, unconnected with Mexico, (except, perhaps, by military compulsion) with probably not a slave in it; for all the negroes in Mexico did not exceed six or eight thousand, and they were all in the ports of Vera Cruz and Acapulco, and the hot regions in the vicinity of the sea coast. Throughout Mexico generally, it is said, a negro was as rare a sight as in London or Paris. Peonage there substituted African slavery, and was, in itself, and still is, practically, an abject state of slavery. The validity of such a law, under all circumstances, in California itself, among the original population, may be considered very doubtful. But, admitting it to be a valid law, enacted by a just, free and established government, it could not be allowed in a conquered country, to contravene a great and fundamental institution of the conqueror. Such was slavery in the United States when California was ceded. When the union of the States was consummated, I believe there was but one State in which slavery did not exist, and in almost every page of the Constitution it is recognized and guaranteed. It is represented on the floor of the House of Representatives; it is taxed in the imposition of revenue. The restoration of slaves, as property, is guaranteed. Unlike all other property, it is made a prominent and visible character of the State. Is it not, then, a great and fundamental institution of the conqueror, having no reference to particular States or localities, but embracing Massachusetts as well as Louisiana? If prejudice could be laid aside, in the investigation, would it not be admitted that it could no more be affected by a law of the conquered country, than that which secures to all the people of the States the freedom of their religious opinions? Now, the unquestionable laws of Mexico would deny this right, if they were obligatory

in the ceded territory ; yet, it would be deemed little short of insanity to assert such a proposition. When the Constitution of the United States was adopted, (and that is the era to which we are to look, in seeking the true meaning of the instrument,) the whole civilized world recognized and protected this property, in all places and under all circumstances where other property was protected. In a decree of the greatest and ablest administrator and expounder of national law that the age produced, (Lord Stowell, better known as Sir William Scott,) he says, "Let me not be misunderstood or misrepresented as a professed apologist for the practice [the slave trade] when I state facts *which no man can deny*, that personal slavery, arising out of forcible captivity, is coeval with the earliest periods of the history of mankind ; that it is found existing (and as far as appears without animadversion) in the earliest and most authentic records of the human race ; that it is recognized by the codes of the most polished nations of antiquity ; that, *under the light of Christianity itself*, the possession of persons so acquired has been, in every civilized country, invested with the character of property and secured as such by all the protection of law ; that solemn treaties have been framed and national monopolies eagerly sought to facilitate and extend the commerce in this asserted property ; and all this with all the sanctions of law, public and municipal, and without any opposition, except the protests of a few private moralists, little heard and less attended to in every country, till within these very few years, in this particular country."

This decree was delivered in 1817, more than a quarter of a century after the Constitution of the United States had been in complete operation, and confirms all the principles of our political compact with our sister States on this subject. But the free soil States, with an inexpressible arrogance and fury, simply reply, that there can be no property in man ; while the laws of God, both in the Old and New Testament, the laws of all mankind, and the Constitution, falsify, in the most palpable manner, this their fundamental proposition. They say that there is a law above the Constitution ; that if the Scriptures sustain the institution of slavery, they are a lie ; and the laws and practice of all nations and of all times, they do not even deign to notice. It is thus seen that no property is more distinctly and favorably recognized by all laws, human, divine, municipal and national ; that with us it is eminently a fundamental and national institution. But this pretended law of Mexico, the mere fume of revolutionary anarchy, having no relation to or operation in California, in its conquered state, cannot invalidate all the sanctions which secure this property ; which, let it always be remembered, does not depend on the laws of particular States, but on the Constitution and laws of the Union. The authority of the States, it is true, has been employed in some instances to prevent its entrance into them, and, I admit, has not been questioned ; but if it were a new and open question, it is difficult to see how it could be sustained. I do not mean to contend that its retention in those States could not be prohibited ; but I am, perhaps, leaving the direct consideration of the question before us, which is the effect of the supposed law of Mexico on this property within this territory. The law of nations, giving a temporary and limited

operation to such a law within the conquered territory, is only protective of the conquered inhabitants, *and there ends*. It is a charitable limitation of the rights and power of the conqueror; a mere limitation of unquestionable right and power. It has no pretension to control the rights and interests of the conqueror. There will not be found in all the libraries of the law, or in the narrations of history, any pretension of that kind. The language of Burlanqui is: "Even were we to strip the vanquished entirely of their independency, we *may* still leave them their own laws, customs and magistrates in regard to their public and private affairs of *small importance*," and *we may not*; and, in strictness, there is necessarily some positive act, express or tacit, to allow this operation, even this limited operation of the laws of the subdued people. Is there any doubt but that in the fullness of the power of the conqueror, even this limited operation of his power does not exist.

It only exists as a conservative ~~favor~~, not a right. I confidently believe that no enlarged legal mind, capable of taking a comprehensive view of national law, would for a moment recognize the operation of this law on the security of the property of slaves carried into California before it was admitted into the Union. But if it were admitted that this law would have the alleged operation, what would have been the duty of a just and paternal Government—a just Government, consulting and protecting all the rights of the people—of a Government such as a free people ought to consent to live under and sustain? Undoubtedly, to have immediately invalidated such a law. But so shadowy a pretence has been made an instrument to deny to almost half the nation the fair employment of their property. We need not ask why, because it is audibly declared that the object is to destroy that property, to abolish slavery, to fence the slave States around by what they call free States, and to imprison this population within limited bounds, so that its labor may become unprofitable, the property less valuable, and its management more difficult and hazardous, and thus to persecute the holders until they shall abandon it.

It is unnecessary to enumerate more of the atrocities which are exhibited by this act of legerdemain, (the admission of California,) for it would be a gross abuse of the language we speak, to call it a regular act of an established Government of modern civilized times. But the magic is as clumsy as it is wicked. It can deceive no one. It has neither semblance nor reality. It would disgrace the wand of Prospero.

The hideous features, however, of this political deformity are nothing, when compared with the dangerous spirit which abides within it, and the motive which governs it. They are no less than the entire and speedy abolition of slavery. Now let any man contemplate the character and extent of this proposition. Language fails to portray it. None but a Northern fanatic, or a torpid Southron, can hear it uttered without a feeling of horror. Some idea of it may be gained by recalling the sufferings, the massacre and the banishment, in poverty and misery, of the white proprietors of Hayti, and the present rule of his sable majesty, the Emperor Faustin the First. The beautiful and prolific South and South-west is to be desolated, its white inhabitants massacred, or flying from their abodes in beggary and misery, unsheltered from the pitiless

storm, and without the comforts or the subsistence of life. The country possessed by some Emperor, bearing and exulting in the euphonic title of, perhaps, Cuffy the First.

Such, or worse, if worse be possible, will be the inevitable—not probable, but inevitable—effects of our “glorious Union,” in the hands of “*les amis des noirs*,” an ominous name, of which the very sound would seem to affright the Southern mind from its propriety, if it were not absolutely torpid.

Nor let those of the South who have no direct interest in slave property, hug to their bosom the sweet unction that they can evade the common fate. Every Southern interest must perish with the slave institution. Houses, lands, stocks, money at interest, must all be submitted to this fate. These horrors have nothing appalling to the minds of free soilers. An appeal was made to the greatest man of this diabolical fraternity, a man now no more, but whose spirit still lives. He was told of these horrors, and particularly of the destruction of the masters. His reply was: “Let them come, though five hundred thousand lives should perish.” This is more diabolical than the declaration of some Marat or Robespierre, in the fury of the French Revolution, who said: “Thousands of lives are a small sacrifice for the establishment of a principle.” But it is said it is not intended to disturb the security of slave property in the established States. This is absolutely false. They have declared a thousand times that their great end and aim is universal emancipation. Nor can they limit their operations: for, as John Randolph pithily said, fanaticism has no stopping place. It may not be the view of all the free soilers to bring about these calamities: but they are sowing the tempest, and we must reap the storm which the moderators will have no power to control. In fact, do they not all declare that their object is the utter abolition of slavery throughout the Union? And if their views really went no further than to pen it up within restricted limits, do they not thereby disturb the security of the property, when they render it less profitable, less valuable, and more difficult of management. What their object is, and what they believe they have already accomplished, is declared in the following extracts, taken from two public journals of great circulation and authority.

The New York Sun, a neutral paper, of larger circulation than any other journal in the United States, has the following, touching the recent acts passed by Congress:

“Undoubtedly there will be clamor and clatter from the extreme and fanatic Southern members—it is to be expected—but the final result may be written down with certainty. *Their decision* [i. e. the acts passed by Congress] *will be the doom of slavery in the United States. Its final suppression is near at hand, and may be looked upon as one of the most triumphant battles ever fought and won, yet recorded in the world's history.* It will have been a victory without bloodshed, a victory of principle over habit and association, of *right over wrong.*”

The opinion of a Northern paper will not be weakened in its force by the following from the London Times, a paper that can hardly be supposed to have any interested motive in misrepresenting the true charac-

ter and inevitable tendency of the measures of the late session. The Times says :

"Slavery may, in consequence of these measures, be considered as doomed in the United States, and men now living may see its utter extinction within the whole territories of the Republic. An obstinate opposition to this inevitable tendency, on the part of the South, may delay, but cannot ultimately prevent this result. Another consequence may indeed attend their opposition, which possibly their anger and prejudice will not allow them to contemplate."

We suppose by this is meant, the horrors of St. Domingo.

The next great atrocity committed on the Constitution and the rights of the States, is the excision of the territory of the State of Texas. This is worse, in my judgment, than the affair of California. "The most sacred principle of the constitution is the inviolability of the State sovereignty. The constitution does not authorize the smallest interference of the General Government, except, perhaps, in the vague clause which secures to each State a Republican form of Government. A State may violate every article of the Constitution, and there is not in that instrument any power of interference granted to the General Government. If one State were to make war upon another, no right of interposition is given to that Government. Incidentally, through the judiciary, the practical exercise of State sovereignty may be controlled; but only where the rights of individuals are concerned, and the judgments of courts are to be executed. In all cases which affect the sovereignty of States, their relation to the General Government is the same as between two independent, equal sovereigns. This view may, perhaps, be considered as new. I am not aware that it is so. But be that as it may, the constitution may be searched in vain for any thing in derogation of it. It may be asked, what power then exists to control a State in the exercise of unjust power? The answer is, none, but that to which all sovereigns are subject. Thank God! The framers of the Constitution did not contemplate any control of the sovereign States. Nor can Congress pass any law abridging this sovereignty. To prove to demonstration how little power Congress has to acquire territory, it is only necessary to quote the following section of the Constitution :

"The Congress shall have power to dispose of, and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be so construed as to prejudice any claims of the United States, or of any particular State."

This clause proves that the framers of the Constitution admitted no power in the government of the Union, even to make laws respecting the acknowledged and indubitable territory and property of the Union without this special authority; and the saving clause seems to provide, with great, but just and wise jealousy, against the possible encroachments of the government of the Union. After reading this clause, with what reason and propriety, can it be urged that Congress shall *acquire*, of itself and under the Constitution, sovereign rights over a conquered territory? Let any provision in the Constitution be pointed out in which there is even a squinting at such a power. If the territory cut off from

Texas did not belong to that State, it certainly did not belong to the political entity called the United States, but to the independent States of the Confederacy, as independent States, *per mi et per tout*. But though this argument cannot be refuted, it will be met with the rebuke of power, and will be no stumbling block in the way of those who are governed by a law above the Constitution. I shall speak of the right of Texas hereafter as an indubitable right. But suppose it to be doubtful, who shall decide the question of its validity? It is the right of a sovereign; and where shall we find any power in Congress to decide on questions of the sovereign power of the States? Certainly not in the Constitution of the Federal Government. In the President? Unquestionably so fearful and despotic a power is not invested in him. But who then shall decide? I answer, it is a question of sovereign right, to be decided by equal sovereigns, by negotiation and agreement between Texas and the other States. It never was intended to make the government of the Union an absolute despotic power to decide such controversies. It was a government granted with fear and limited by jealousy. But to show how feebly such considerations govern the chief magistrate whom accident has put above us, how little of a statesman and how poor a lawyer he is, we find him, by his mere will, superseding the authority of Congress, if it has any, deciding the question, and threatening to enforce a title thus adjudged, by arms. His authority to use military force is a question of sovereign right, he strangely finds in a law most clearly intended only to enforce the execution of judicial judgments in personal and individual controversies.

Now as to the right and title of Texas. Texas claimed the territory under the Constitution of the State, as a conquered territory. The United States acknowledged the boundaries which she claims. The treaty of annexation was executed with a map of the country exhibiting these boundaries, made in the topographical bureau of the United States, lying before the negotiators at the time; and the United States agreed to use their power and influence to establish these boundaries, as nearly as they could, in their negotiations with Mexico. I know it may be said that these boundaries were not expressly recognized in the treaty of annexation; but the reason for it was that the United States, while it recognized them tacitly, would not agree likewise to *guarantee* them in *extenso*. That the United States distinctly recognized them, is proved by the memoir attached to the map, which states that "the present boundaries of Texas are defined by an act of the Texan Congress, approved December 19, 1836, to be as follows:—"Beginning at the mouth of the Rio Grande, thence up the principal stream of said river, to its source, thence due north to the 42d degree of North Latitude: thence along the boundary line, as defined in the treaty between the United States and Spain, to the beginning." The reason for not expressing specially the boundaries of Texas, is given a letter of Mr. Calhoun, Secretary of State, to Mr. Green, our representative in Mexico, dated 19th of April, 1844, in which he says:—

"To make the terms of the treaty (of annexation) as little objectionable to Mexico as possible, the Government of the United States had left the boundary of Texas without specification, so that what the bound-

dary should be, might be an open question, to be fairly and fully discussed, and settled according to the rights of each, and the mutual interest and security of the two countries."

Thus there is not the shadow of doubt that the Government of the United States recognized the boundary claimed, as the basis of the negotiation on the part of Texas, in the stipulated negotiation with Mexico. Every act of our government until the expiration of Mr. Polk's administration confirmed this; our army took possession of the bank of the Rio Grande as Texas territory, and when it was assailed, defended it as such. The President, in his message to Congress, called the advance of the Mexican army beyond the Rio Grande an invasion of our territory, that is, of the territory of Texas. Congress, by a very large majority, declared war on that ground, and by that war the territory in question was defended as the territory of Texas. It was acknowledged by Mexico by a treaty of cession to the United States, the ostensible belligerent power and the trustee of Texas for the purpose. But the title of Texas was good, independent of this cession. If the territory in question was not actually a battle field, the enemy retreated beyond it, before the release of Santa Anna; by his order the Texans claimed it in the most solemn manner: and actual possession has never been deemed necessary to support a title by nations to remote territory. Great Britain has not in actual possession, and never in any manner put foot on a great portion of the territory of her foreign dominions. So of Russia, and so of other Governments. The abandonment by Santa Anna and the officer next in command, supported by eight or nine years distinct and unabated claim, is, in itself, sufficient. But the question is between the United States and the State of Texas. Now the United States have again and again, in every shape, acknowledged the boundary claimed by Texas, both before and after the war with Mexico; and shall she be permitted to dispute it? In the strictest law between individuals, the party standing in the place of the United States would be estopped from making a demand in opposition to the claim of the other party. To attempt it would be deemed a gross and infamous fraud; can it be less so in a nation? The pretence is that it formed a part of the old province of New-Mexico; but this was distinctly known to the United States anterior to all her acknowledgments of the title of Texas. Besides, the attempted usurpation is not confined to the territory formerly included in New Mexico, but is to embrace a large portion of the undisputed territory of Texas; and for this, no pretence of right is even suggested, no motive is assigned, but the Government desires to have it. The motive is, nevertheless, perfectly obvious. It is to further the policy and plans of the Abolitionists. It is to environ the slave States. We have seen that the Government of the United States has no power to acquire territory. Let us now look a little into the means resorted to for the purpose of accomplishing this object. We see the military again employed in fraudulent attempts to establish another free soil State. That failing, the President, without consulting Congress, determines the question of right most uncourtously, as well as without the shadow of authority in him to do so: threatens the use of the bayonet, and through Congress offers a bribe to Texas; and with the sword in

one hand and a bribe in the other, dictates to a free and sovereign State the dismemberment of her territory, prescribes precise limits to the excision without consulting her, and fixes a very short time within which she is to submit. The greatest tyrant in the world could not have proceeded with more indecency, or with grosser insult. Will Texas submit? Has she no self respect left? Is she not pledged to the Southern States to preserve this territory, for the purpose of sustaining the equilibrium of the Union; and will she now consign it to a purpose which will destroy it? Who brought Texas into the Union? The South. Who expended their blood and treasure to sustain her independence and to defend her from the menaces of Mexico and the bloody revenge of that nation? The South; and Texas, for this paltry tribe, is to desert those who supported her in the hour of distress and peril, and to subserve the ambition and fanaticism of those who would have sacrificed her; she, an independent State, is to submit to the dictates, the fanaticism and the ambition of her own worst enemies, to give up her lands to a vast extent, and her natural boundaries and her honor. No State in the Union, with so short a history, is entitled to a more brilliant fame. But let her submit to this insulting and degrading dictation, to use no harsher term, and where will she stand? This assault upon Texas is, at the same time, a deadly blow at all independent State sovereignty; and without that safeguard, there cannot be conceived a greater despotism than the government of the United States is likely to become. Indeed it is so already, if the views I have presented have any foundation in truth. But in the case of Texas, as in that of California, the great deed of iniquity is the object and the ultimate tendency and effect of the measure. Is it not avowed that the purpose of it is to environ the slave States with institutions at war with the security and value of the property of those States, as well as the destruction of the power of those States in the confederacy? To humble you, to govern you, to stab you to the heart? I dismiss the subject of Texas.

3 The next aggression is the abolition of the slave trade in the District of Columbia; and this will be, perhaps, a question of constitutional difficulty with some minds. It would seem, however, if the constitution is to be construed like other instruments, that the law is constitutionally unauthorized. The territory belongs to all the States; and all the citizens of all the States have a right to bring their property into it, and to use it therein for all the purposes of which property is susceptible. It will not be asserted that Congress has the power to prohibit the introduction, within the District, of the manufactures of Massachusetts, or the cotton and rice of the Southern States. Now it cannot be averred with truth that there is any property more sacred, or better protected under the Constitution, than the property in our slaves. The Constitution is imbued with none of those prejudices against this property, which have grown up entirely since its adoption, as well in Europe as in some of the United States. How, then, can it be pretended that the owner of this property shall be precluded from the use of it in the leading characteristic of all property, namely; the sale of it? Certainly, I would say that prejudice and not reason, can make any distinction. But in discussing the constitutionality of the law, we do not meet the great

ground of objection, which is the purpose and example of the law. Here, as in the preceding grievance, the object is the advancement of abolition. Is it not notorious that it is intended and valued merely as an entering wedge, that it is to be followed up by the abolition of the property in the District, and that these acts shall form examples for other acts of interference with this property? Congress has the power to regulate commerce between the States. We shall no doubt very soon hear of a proposition in Congress for regulating the slave trade between the States; and the surplus slaves of Virginia and North-Carolina, will not be allowed to pass to the new and unsettled country of the South and Southwest; or they will couple the transit of slaves with conditions which will secure their emancipation in the States to which they shall be transported. It is vain to say that such measures will be unconstitutional. Neither fanaticism nor power can be restrained by the privileges of a Constitution in parchment. It has been already repeatedly trampled upon, and a total disregard of it has been openly avowed by the leading actors in the prevailing crusade against slavery.

The next cause of complaint, and of danger and alarm, is that the balance of the Government is destroyed forever; and it is beyond the power of our opponents themselves to restore it, if they had the wish to do so. The admission of California into the Union gives them a decided majority in the Senate, and they have long had a majority in the House of Representatives. Their majority in the first will be speedily increased by the admission of new States, from which slavery will be excluded; the last needs no increase to give them overwhelming power. But besides the natural increase of their present excess of numbers, the introduction of foreigners will add to it, perhaps a quarter of a million per annum. Thus they grow stronger and stronger every day, and the South, proportionally, weaker. It is as certain as it would be if we had a declaration from Heaven, that there never will be another slave State admitted into the Union. It is equally certain that the overwhelming power of our opponents will be exercised most despotically. The spirit by which they are urged on is twofold: first the ambition of low-minded politicians, who are determined to govern and to crush all power in the Southern States. They are governed by an ancient hatred that has come down to them from the old federal party, but without the talent or urbanity of that party. That party was put down by the Union of the South and Southwest, and have borne with great restiveness their absence from power. But they were men of great talents and accomplishments, fit to govern. These are now cast off by their successors, who have none of their high equalities—men known to the nation by no distinction of talent or public service, the Hales, the Giddings, the Swards—these are the brood of the second element of the now dominant party, fanaticism. They are generated from the slime of this foul principle: unless you resist, you are to be governed by it. You are absolutely powerless. No tyrant has ever existed whose power to do evil was so great, whose disposition to do good so small—a popular tyranny of fanatics and low-minded politicians, a tyranny much the worse, because it is many-headed. A popular tyranny (even when com-

posed of less foul elements,) is more debasing than the tyranny of a monarch: in its appetites more inappeasable and gross, and in its duration more lasting. It never dies. The gloomy expanse of time which it covers is never irradiated by a Trajan or an Antoninus. There is an eternal duration of its vicious qualities and its rapacious reign. Good God! Is the proud Southern to bow in submission to such a government! Where is the race of our great men? But under the influence of the benumbing government which is called our "glorious Union," you have ceased to produce great men. Where are the Jeffersons, the Madisons, the Henrys, and the George Masons of Virginia; the Rutledges and the Pinckneys of South-Carolina; the James Jacksons and the William H. Crawford of Georgia? Gone! gone! and none to take their place; none to rouse us to manly resistance against the injustice and the tyranny under which we suffer. No! It cannot be; there are such men, if the people will call them forth. *The people must take the subject into their own hands.* They must no longer look to their national politicians, who have inhaled the pestilential air of Washington. They must throw off national party names, whose little factious politics have been put above their country's cause. There must be neither Democrats nor Whigs; but we must all be Southern men. We should have, if possible, nothing to do with the General Government. We have, there, no longer a particle of practical power. Our own Representatives have betrayed us. I admit that there are highly honorable exceptions; but we have been shamefully betrayed by many of them. Without that aid which they afforded the enemy, the sad results which we deplore could not have been accomplished. Our presence in the Halls of Legislation gives to our enemy the countenance of forms which once embodied the spirit of a vigorous freedom; which gave us our share of power, our share of respect, a standing of equality in the nation. But under the present operation of the Government, these are all extinguished. Our own Representatives have told us that what our enemies were pleased to grant us we ought to take, because we could get no more. I should be glad to be informed what they have left us. Have they not taken all? The great matter in contest, when the recent controversies began, was about the territory which we had conquered from Mexico. I say, which we, of the South, had conquered; for our opponents were opposed to the war, opposed to the appropriations, and their section contributed only a few noble spirits who rose above their low aspirations. Have they not taken all? The only thing granted to us was a law to restore to us our fugitive slaves, which it was never supposed could be executed, and which we are now abundantly assured, they will not suffer to be executed. Nor was this a grant of any thing, for we had the right before, and the recent law was only an effort to counteract their bad faith in the execution of the constitutional provisions. They have not, however, been satisfied with taking all. They have made that all a wicked instrument for the abolition of the Constitution, and of every safeguard of our property and our lives. Our danger is well expressed by a member from Massachusetts, in a former Congress, when the subject of slavery was incidentally agitated, who

said: "It was not with them (the South) a question of policy, of political power, but of *safety, peace, existence.*"

I have said they have made the appropriation of this territory an instrument to abolish the Constitution. There is no doubt that they have abolished the Constitution. The carcass may remain, but the spirit has left it. It is now a fetid mass, generating disease and death. It stinks in our nostrils. The Constitution when we entered into the compact of Union, was a well balanced scheme of government, securing the rights of all parts of the Union; a Government of equal rights and equal powers. What is it now, and what is it to be in the hands of our opponents in future? Have we any power? Shall we not certainly be bereft of even the semblance of it, when New Mexico, Utah, Minnesota, and a dozen other States excluding slavery, shall be admitted into the Union, and no slave State be allowed to enter it? The parchment on which the Constitution is written may remain; the forms may remain, as a delusion to mankind, as the cover of tyrannical acts destructive of Southern rights, safety, honor and peace; but there will be no Constitution securing these objects. The abuses of the name and forms of the Constitution has been already seen. We have been told, and even by Representatives of the South, that Congress, in all the atrocities that characterized the late session, has not violated the Constitution. What do those who thus speak, mean? In their sense the Constitution of the Roman commonwealth was not violated by the Roman Emperors. The forms of the commonwealth were preserved for ages after the Republic had ceased to exist. According to these acute reasoners, the Constitution of free Rome was not violated when Caligula made his horse a Roman Consul.

A Constitution means, *ex vi termini*, a guaranty of the rights, liberty and security of a free people, and can never survive in the shape of dead formalities. It is a thing of life, and just and fair proportions; not the *caput mortuum* which the so called Constitution of the United States has now become. Is there a Southern man who bears a soul within his ribs, who will consent to be governed by this vulgar tyranny; by the Hales, the Giddings, and the Sowards? Will the high-toned Virginian submit to it? No one who is a genuine son of the Old Dominion will submit to be governed by it.

I shall enumerate no more of the wrongs that we have suffered, or the dangers with which we are threatened. If these, so enormous and atrocious, are not sufficient to arouse the Southern mind, our case is desperate. But supposing that we shall be roused, and that we shall act like freemen, and knowing our rights and our wrongs, shall be prepared to sustain the one and redress the other—what is the remedy? I answer: secession—united secession of the slaveholding States, or a large number of them. Nothing else will be wise—nothing else will be practicable. The Rubicon is passed—the Union is already dissolved? What was the Union? A government wisely and practically balanced—balanced by a distribution of power which protected all interests and all sections of the country. All power is now vested in the people of one section. Property, in one section, is no longer protected; on the contrary, the most violent war is made upon it. That Union secured the

peace of the community ; now it puts that peace in the utmost danger, and threatens one section of the country with the direst calamities that humanity can suffer. That Union was a bond of fraternity, of mutual good feeling ; now it is one of bitter hostility. Would not a free people be absolutely besotted, who should contract an alliance, or cherish a union, with a hostile people, and give all power to that people to govern them, to tyrannize over them, to bind them hand and foot ? Is not that the relation in which the people of the South stand to the people of the non-slaveholding States ? Can any one deny it ? Can any change for the better be hoped for ? Can you expect to live in harmony with a people who, in every form that can be conceived, on the floor of the National Legislative Halls ; in their own Legislature ; in their Clerical Synods, declare slavery to be a crime, and the holders of the property to be criminals ? Who declare their utmost detestation of you ; who refuse to join with you in works of humanity, mercy and piety ? To those people you are in the strictest bonds ; and yet deliberate whether you will break asunder the manacles which bind you. Brute nature will not bear a galling chain without an effort to rend it ; but man, a being of wise discretion, looking before and after, hugs it to his bosom, and lets it sink into and corrode his flesh, when a single manly effort would crush it like a cob-web. Have you any self-respect ? Can any people be great or happy, or virtuous without it ? Can you live with this people, and continue in this Union, and retain this virtue ? Is not the face of every Southern man already suffused with the blush of shame ?

I have asked if there be any hope of a favorable change. All change will be a mockery which shall not give you an equality of power ; and will that be granted you ? The great sacrifices which they have made of truth, honor, fraternity, and the Constitution, to accomplish their usurpation, were not made for a fruitless result. Far from it, they are anxious to wade deeper in. Nor need this disposition be proved by argument. They boldly avow it, zealously proclaim it, glory in their past triumph, and urge on the dogs of war to future havoc. No change whatever, except to enlarge their power and increase our shame, danger and disgrace, can the future bring forth—yet we deliberate. She pusillanimous inquiry is daily made, what can we do ? What cannot millions of freemen, not indifferent to their rights, not unconscious of their wrongs, and not insensible to shame, do in asserting their rights and repelling the injuries which they suffer ? They can do any thing they dare to will. What are the causes of this ignominious inquiry, of the apathy we exhibit, of the torpor we suffer. The principal causes are, first, the overgrown unconstitutional power, patronage and influence of the government of the Union ; and, secondly, mistaken conceptions of the character and value of the Union.

The direct Constitutional power granted to the Union, except in the regulation of commerce and the management of our foreign relations, we have seen, was very small, but it is now overwhelming. It has prostrated what was intended as the great safeguard of the people—the power of the independent States. It has corrupted the public sentiment, it has withdrawn the fidelity of the immediate agents of the people and the States. It has offered its blandishments of office, its pecu-

niary rewards. Ambitious men, looking to the chief magistracy, are seen arraying around them personal factions; others aspire to the bench of justice; others to be ambassadors or consuls. Others are looking to the legislative halls as the most distinguished scene in which to exhibit their talents and prostitute their votes to procure advancement. Others are seeking to be collectors of the customs. Who has been recently appointed collector of the customs at San Francisco? No doubt a disinterested patriot, and a safe guardian of the rights, and interests, and honor, and character of the State of Georgia. No office, even down to the humble one of Tide-waiter, is without its temptations. The simple Governments of the States offer no competition. It is deemed a proof of low ambition to aspire to the highest of their offices. There is no limit to these temptations. There is the vast expenditure of the Government of the Union; seventy millions appropriated in one session; claims on the government to immense amounts, long forgotten or declared to be unfounded, paid with half a century of interest and compound interest. The virtue must be very stern that can resist these temptations. The patronage of all governments is known to be an instrument of corruption, to sustain the men who administer them and their measures, right or wrong. The unclean pickings of Uncle Sam's treasure box are more profitable than the mines of California. The mileage of a member of Congress is in some instances not less than \$4000 a single session. Can any virtue resist this beneficence? It is true this comes out of the peoples' pockets, but it is received from the hands of the government.

The nature and influence of the *esprit de corps*, which is as much a thing of life as the animal spirits of the human body, is very well known and understood. No man, good or bad, can resist its influence; it is a part of their political entity. Those who belong to the government must support the government, as the human being would cherish his health. The trustees and representatives of the absent people of the States forget that the government of which they form a part is only the creature of their constituents, and they serve, not them, but it.

Political parties grow up under all free governments. I dare not condemn them: such a government would not long exist without them; they are necessary to cherish the principles of freedom and defend the rights of the people. But they are frequently the instruments of great evil, and destructive of the very purposes and interests, which they profess to subserve, and sometimes without any corrupt motive or intentions.

Political parties under that *esprit de corps* of which I have spoken, each to their own party adhere with a devotion which supersedes and confounds the best reason of the best and ablest men. The Big-endians and the Little-endians contend as zealously, and as furiously, each for their own opinion, that the egg should be broken at a particular end, as if the contention were for a principle of eternal truth, and sometimes against the principles of eternal truth. Now our parties under the government of the union are altogether national parties and have superseded all other political parties. They are alien to the political principles of the States, and dangerous to them when the States and the Govern-

ment of the Union are at variance. Let us drop our party distinctions while contending for the rights, interests and independence of our bleeding country. Let us all be Southern men, while these great questions are pending. How can we be otherwise? Is there a man in this assembly who will not admit that those who hold all power at this time under the Government of the Union, intend to use that power to subvert the institution of slavery, on which all other Southern interests hang, our peace, our lives, our honor, and the whole wide spread soil of the South, reckless of the miseries that will follow? Can there be a man, then, in this assembly, who is not disposed at any and every hazard, to resist this nefarious and barbarous attempt? The only question is what shall be the mode and measure of resistance. I have said secession is the only practical remedy. We have seen that there is not the slightest hope of any remission of the efforts of our opponents to destroy us. Non-consumption of Northern manufactures has been mentioned; but this would be only nibbling at the subject; a mode unworthy of the subject and of independent States; and all effective resistance must be the work of the independent States in a united effort. This mode contemplates our remaining in the Union under a government which can pass what laws it shall please, which can shut our ports, if they please, until we renounce our petty resistance. Under the protection of that government, the commodities of the North will be poured into the Southern States, and put a temptation before the people, which ought not to be put in their way. Non-consumption was tried before the war of independence; but while it may have exhibited proofs of individual patriotism, I am not aware that it did any thing more; nor will it now, if adopted by us. It will subdue the spirit of the people, and bring it down from that of great national resistance, to an exhibition of this little war of spite. Our opponents have been emboldened to act as they have done, by a belief that we cannot be kicked into national resistance. No! If we cannot resist as a nation, we are subdued as a nation. In the mean time, we shall do nothing while the enemy will be providing for our subjugation. The delay will be dangerous. I say, with Lord Bacon, "It were better to meet some dangers half way, though they come nothing near, than to keep too long a watch upon their approaches; for if a man watch too long, it is odds he will fall asleep." I fear we have already watched too long, and are fallen asleep.

Is it the fear of our inability to resist, or our love and value of the Union, that makes us doubt and hesitate, or is the measure of insult and injury under which we suffer not yet full? Of the value of the Union I shall speak hereafter. If there is any one who thinks that the measure of our injuries and insults is not full, I will not reason with him, but leave him to wait for that last kick, which the witty Sydney Smith has said, will make even the kicked resist. I will now speak of our ability to resist by secession, should it be opposed. If Virginia shall lead, I have not the least apprehension that any blood will be spilt. In that case, I take it to be morally certain that, at least, North-Carolina, Tennessee, South-Carolina, Georgia, Alabama, Louisiana, Florida, Mississippi and Texas will immediately unite with her, and, in a

little time, every other slaveholding State will join them, except, perhaps, Delaware, because it will be their interest to do so. If Virginia shall submit, which it seems impossible to believe, the want of unanimity may embolden the government to try coercion. The power of the government of the United States to subdue any two or three considerable States, seems out of the question. It is hard to subdue a free people. The difficulties of the government of the Union, in accomplishing that object, will be found to be insurmountable. The expense will be enormous. Its revenue will be destroyed; its commerce will be subject to capture by our privateers. Our cotton, rice and tobacco will be carried in British and other foreign vessels. Our supplies will come to us by the same channels. Their manufacturers will find no market, or a bad one. If they attempt to invade us, where is their army? They will not get a man from any of the slave States. If they draft the militia from their own territories, think of the expense and delay of their equipment, of their transportation, of the effect of our climate upon them. Nor is it probable that even their own militia will serve with zeal in such a cause. Is it certain that their army and navy will obey them? They are not abolitionists. If they shall deem it necessary to borrow money, will capitalists lend it? They must pay the interest on the national debt, provide for the payment of the immense expenses of government, which, under their rule, have been greatly increased, with a war expenditure of immeasurable extent added to them. Where will the revenue come from, when they can no longer put their hands into the pockets of the South? They cannot injure us by sea, for the "glorious Union" has given them a monopoly of the commerce of the country.

Will they blockade our ports? Foreign nations, who want our raw produce for their manufactures, will not suffer it. Will they take our seaport towns? All the naval and land forces they shall be enabled to employ will find it difficult to take Charleston or Savannah; and, if taken, what would they do with them? If they advance into the country, they will probably be defeated. If they conquer, can they hold the smallest State in the confederacy subject to their dominion for six months? They have been computing the bill they will have to pay without their host. Oh! but their friends, the slaves, will fight their battles. Will they? They will really add to our strength. They will build our fortifications—they will till our fields—while their masters are in arms, and they could be made, without hazard to our safety, even to aid us in battle, were aid wanted: but it will not be. We want but union among ourselves, and "the enemy are ours." When this war is ended, what will be the result? This Union will be, thank God, forever at an end. We ought not, and cannot, live in union with abolitionists, or men of mean but ferocious ambition, who are determined to be our governors and task-masters. But we shall be willing to live with them as brethren, in peace, with commercial arrangements, and even in a national confederacy, like that which preceded the Union. They will desire, and we ought to grant it. They will not, then, encourage our slaves to desert, and they will restore them with alacrity if they fly to them. They will no longer talk of trial by jury, and habeas corpus, but of the danger of violating stipulations, the execution of which it will be to their interest to enforce.

In such a contest, should it take place, shall the South not suffer? Undoubtedly it will suffer some of the casualties of war. It would be a fraud on the people to hold a different language. It is a case in which they are called upon to meet some of the dangers of war, as all free people must sometimes do, to preserve their rights; as all nations must sometimes do, to sustain their honour, and cause themselves to be respected—dangers which all people, not prepared to submit their necks to the yoke of a master, must be prepared to meet with zeal and alacrity. The people willingly encountered the dangers of the war of independence; yet there is no comparison between the grievances we then complained of, and those we now suffer. We then complained of a small tax, unconstitutionally imposed. Every other interest of the colonies was cherished, and the tax itself was not unreasonable. Our resistance was merely because it was unconstitutionally imposed; but it would have been unworthy of freemen to have submitted to it.

We made war with Great Britain in 1812—and it was made by Southern men—merely to sustain the honour of the country, and we encountered the dangers of war. We do not regret it. We were, before, the most degraded people in the world, despised for our pusillanimity. We came out of it with a character which has ever since been our sword and our shield. We preceded that war by nibbling at the subject, by restrictive measures and embargoes; but they did no good. We only received more kicks, and became more despised. The enemy then said that we could not be kicked into a war, as the abolitionists now say that we cannot be kicked into secession or resistance. The language then was, we cannot make war; as the language now is, of the pusillanimous, we cannot resist. Our ability to resist is much greater now than was our ability to make war then. The dangers of war then were much more alarming than they are in the present case, and the cause of resistance then was, to Southern men, who made the war, almost an abstraction, so far as Southern rights were concerned, when compared with the dire reality that now afflicts and threatens to crush us. It was, indeed, deeply a question of national honour, for which we fought in the late war with Great Britain. It is so now; but besides, it is a question of life and death, morally, politically and physically. "We must do or die."

The right of peaceable secession, on our part, is unequivocal, if the equity of the case be considered. The Constitution of the Union is nothing more than a grave and solemn treaty between the States who were parties to it. The violation of one part of it annuls the whole; and, as that violation, on the part of our opponents, is most unquestionable, the South is exonerated and the treaty null. The name is nothing: all compacts between sovereigns are treaties. But, as between sovereigns there is no umpire, the State from which we secede may, however capriciously and unjustly, say we have violated the compact by secession, and make war upon us. No such war, as I have shown, is authorized by the Constitution. I have shown how little sovereign power is embraced in the general grants of the Constitution; that it required a special grant of power to dispose of the public territory of the Union. The great body of the internal sovereignty, which may be said to constitute the real sovereignty of a nation, remains with the States. Any contest which

may arise will be between equal sovereigns, namely: the several States, though it may be conducted, on one side, under the constitutional name of the Union; but this will in no wise alter the nature of the question.

Treason has been mentioned, unfortunately and strangely, if it refers to the action of the States. But such language is mere *brutum fulmen*. Any one who has advanced beyond the hornbook of national politics, knows that every people, or any great body of people, whether the whole of a nation or not, with arms in their hands, are not to be called traitors, or treated as such. If he does not, a single page, of any writer of character, on the laws of war, Vattel, for example, will supply him with the necessary information. The idea and the language belong to ages of barbarism long gone by. Modern humanity and modern civilization have long repudiated both. In the war of the Revolution, though we were undoubtedly warring against a former allegiance, were our citizens, when taken in arms, treated as traitors? On the contrary, were they not regularly exchanged, as prisoners of war?

But if our great parent State lead us, there will be no bloodshed; and can it be doubted that she will? Virginia is the mother of the Southern States. There is scarcely a family within their bounds in whose veins Virginia blood does not run. Will she abandon them? If they were to be engaged, even in a struggle of doubtful right, would she abandon them? But, as they will resist a most atrocious injustice, an odious and alarming tyranny, under which she, alike with them, suffers, must she not join them? It is the cause of Virginia herself. Does she not blush with shame at the condition in which she is placed? Imagine a son of the old dominion bowing with awe, (as in the last Congress,) and meanly supplicating for the best he could get! Time was when his language would have been: "My rights, my whole rights, and nothing less;" and when he would have said, "I would as lief not be, as live to be in awe of such a thing as I myself." Has she not declared solemnly, by her legislative acts, that the existing usurpation ought not to be borne? Let it be unresisted; let the abolitionists be permitted to use that usurpation, with the temper and spirit that governs them, and what will be the fate of Virginia? How much better will it be than that of St. Domingo? Let it not be supposed—which it will be the most egregious folly to suppose—that the abolitionists will stop where they are, and use, without extreme violence, the power they possess. They will bind us with new fetters, new freesoil States, and exclude forever all States with slave property, contrary to the letter and spirit of the Constitution. Will that glorious old State, will her magnanimous sons, the descendants of the men of 1776 and 1798, hug the security of an insignificant existence, and consent to be governed, like slaves, by the vulgar ambition of the Sewards, the Hales and the Giddingses? If she shall do so, we shall weep over her ignominy; and we wish her no harm when we say, may she perish rather. I love and honour Virginia. Half the blood that runs in my veins I draw from her, and I shall deeply lament her recreancy. On the contrary, what a destiny is open to her? To be at the head of one of the most glorious confederacies the world ever beheld, of her own blood, "bone of her bone and flesh of her flesh;" to rescue herself and all the Southern States from an ignomi-

nious bondage; to illustrate by greater brilliancy her former glories; to rescue from sterility the most fertile territories, the most felicitous in soil and climate, the happiest in position, the richest and most various in productions, that the world, in any given space, can display, watered by the most splendid river on earth, which this confederacy will enjoy and command. She has her choice, to be great or insignificant. She has her choice, between generations of renown, or ages of mean vassalage. If this be true, Virginia will head the confederacy. Will not Kentucky, reflecting all her noble features, the greatest and dearest of her offspring, follow her? Or will this great State, in base submission to alien usurpers, meanly follow in their servile train? It is impossible. We shall be united. We shall be one and indivisible. We shall live free and great, the pride and blessing of our posterity, for a hundred generations.

The political and pecuniary interests of these States coincide. The slaves of Virginia may be estimated at little if any thing less than two hundred millions of dollars, and those of Kentucky and Tennessee at one hundred millions each. The object of our opponents is to extinguish this vast amount of the capital of these States, and leave in its place the curse of a million of lazy, vicious vagabonds, whom the States will have to maintain in their almshouses and jails, until they perish under their vices. The public mind has been much agitated by the subject of manufactures, and the allegation of the vastness of the amount of capital invested. The great article is the cotton manufacture.

The welkin has rung with calls for protection of the capital so invested. The prosperity of the country has been said to depend on its support. Now, will it not excite surprise to find that, by the statistical returns of 1840, the whole amount of capital thus invested was fifty-one millions of dollars? That of Massachusetts, thus invested, seventeen millions of dollars? These are very important sums, and may affect materially the prosperity of the country. The whole amount, however, is but about one-eighth part of the value of the slave property of the three States just mentioned, of the destruction of which our opponents, and even our timid friends, speak with the utmost coolness. Why, the destruction of four hundred millions of slave property, independent of the chaotic rupture of the habits of industry in these States, which it will take a quarter of a century to re-settle, will not be re-established in fifty years more. The largest debt ever due by the nation did not amount to more than half the value of these slaves; and, whatever may be wantonly said to the contrary, the destruction of no equal amount of the capital of these States, in any other shape, would affect their happiness and prosperity so vitally.

We now come to the question of the Union—what it was, and what it is—and its value to the Southern States.

The establishment of the Union, on the part of the Southern States, was a fraternal act. The States had just established, by a glorious effort, coupled with much suffering, their independence. An enthusiasm of joy was the common sentiment of the nation at large. It was the first outbreak of the liberty of a large portion of the human race. We took to our bosoms, with brotherly affection, all those with whom we had struggled in the attainment of this great achievement. Their inter-

rests, however variant, the South considered as her own. The country was poor; but the Northern States were the poorest. Their commerce was struggling, disadvantageously, with that of foreign nations. It needed to be cherished and protected by the Union. The north-western ports were still in possession of their late enemy, and were withheld, contrary to the stipulations of the treaty of peace; they were not likely to be surrendered to sectional claims. The Union made the claim imposing, and it was successful. It protected their navigation on the ocean. It cherished their fisheries by bounties. It gave them, by countervailing duties, almost the whole of our carrying trade. It gave them all that made them speedily prosperous and wealthy. What did it give to the South? I am aware of nothing; except, perhaps, harmony among ourselves, which was, I admit, of some value; but, while we gained but little, we did not begrudge all these advantages to our brethren, which, though they made them rich, did not impoverish us. We were all prosperous. The prosperity of the North sprung from the institutions of the Union; ours from our soil, from our agriculture, from our slave labour, and our cotton-fields. We needed no protection, and got none, from the Union. But too many of us have supposed that the manna which thus fell from heaven was the fruit of the Union, and have given it credit for the blessing.

The political fabric of the Union gave us a fair participation of power, to protect us in our respective rights and independence, which it would have continued to do had the compact been fairly executed. It was a well balanced government. Reflect on what it was and on what it is. "Look on this picture, and on that," and say whether it be not "Hyperion to a Satyr." We had then equal power, we have now none at all. We asked nothing, and we gained nothing, but that power of protecting ourselves, which is inherent in all free governments; for, without it, a government cannot be free, and will inevitably soon become a tyranny. There was, indeed, one subject on which we had a little jealousy, and for which prudence required some special guarantees. All we desired was readily granted; enough then, and enough now, if faithfully executed; I refer to our slave property. The Constitution contains the most solemn pledges for its security; but they have been repudiated by those who gave them. There was, then, but one opinion in the world on the subject of slavery. It was not till a few years since, and then only in Great Britain, according to Lord Stowell, that "a few private moralists, little heard and less attended to," raised their voices against it; not, indeed, against slavery, but the slave trade. The present crusade against slavery is of the most recent date, and is of foreign origin. As long as the Constitution permitted, those who are now waging so furious a war of abolition were engaged actively, profitably and largely in that abominable traffic, and are now employing the wages of it for the destruction of that property for which we paid them. They are very subtle moralists, but cannot keep their skirts clear of the most odious part of the sin. We cannot enter here into a defence of slavery as it exists in the Southern States at this time. African slavery, as well as the impassive barbarism of Africa, are altogether a mystery, which our reason, the guide that Providence has given us for our actions, does not perhaps explain.

Even that guide has not been consulted. Its assailants deny all past results of human experience. They simply assert that property cannot exist in man. In this, they are contradicted by all history, by the Old and New Testament, by the Constitution of our "glorious Union," by the charter under which they exercise the power by which they oppress us. You cannot reason with such men. And who are those men? The weakest men in the country; men who never were and never will be trusted by the good sense of mankind in the government of other national affairs. They are not philanthropists, for in no instance do they consult the happiness of the African: they will not allow him admission into their borders, unless he comes to them in violation of their pledges under the Constitution. They are utterly ignorant of the subject which they have undertaken to govern. Most certainly, if their plans succeed, they will doom to the most abject misery those whose friends they profess to be; for them it will be the direst calamity. At present, their condition makes them a happy people, employed more beneficially for themselves and a very large portion of the human race, than any equal number of laborers in the world. Could the schemes of the Abolitionists prevail, millions of other people, who now enjoy happiness and prosperity, from the fruits of their labor in manufactures, navigation, and all the attendant employments, would be reduced to a state of destitution. The proposed object of the Abolitionists, if attained, will be attained by Providential means much more fit and adequate than any thing they can devise; but they think they can do the work better, and are anxious to take the business out of the hands of Providence. It is a pity that they could not discover the truth, that they are exactly such instruments as Providence uses for its inflictions, but never for its mercies. The political situation of Europe and of this country presents a philosophical study, I think, of the highest importance, which has been little considered. What we call the rights of man, or the admission of great masses to the power of self-government, has brought into action the minds of persons utterly unqualified to judge of the subject practically, who have generated the wildest theories. The extravagances of communism, and of the injustice of the appropriation and enjoyment of property are among them. These men are often more dangerous, because they are probably sincere and honest, but they are shaking the very foundations of society. They aim at a perfectability of which human nature is probably incapable; an equality among men of all ranks and attainments, which weak minds and heated imaginations only can tolerate. This agitation has recently reached the United States. It has been introduced by European agents, and has brought under its delusions the subject of African slavery in the Southern States. It is of the family of communism, it is the doctrine of Proudhon, that property is a crime. It is the same doctrine; they have only blacked its face to disguise it. The agitators, as I have before said, are among the least intellectual in England, France and America. The best intelligence of these countries has learned from a just conception of the nature and operations of free government, which the weak enthusiast cannot comprehend, the fallacy of these crude theoretical aspirations. But, unhappily, in our country these delusions have been seized, to serve political ends, by bit-

ter politicians inimical to the South. Into these hands has all the power of the Union fallen, and by these hands that power is actively used to crush the political power, and to crush the slave institution, of the South. Such is now our glorious Union. Of what value, then, is this Union to the Southern States? Is it not a fit and dangerous instrument, while we live under it, to destroy us? Is it not seen that the Abolitionists believe, and that it is thought abroad, that the object is already accomplished? We are like the ensnared bird under the influence of the serpent's eye. Unless we break the charm we are gone—we are victims. We have, if we decisively use it, the power to dissipate this charm. If we declare our independence, we are safe. If we delay it, we increase our danger, and perhaps seal inevitably a disastrous and ignominious fate.

The Government of the Union when first established, was a good, a wise, and a beneficent government. It was well balanced. It secured the rights, liberty and property of all sections of the country. Our territory was limited and susceptible of being well directed by such a government. But now all is changed. The territory is four times as large as it was then. Of what we originally had, our cunning friends eajoled us out of a large part; of our first acquisitions they compromised us out of a large part; and of all the last they have recently robbed us. They have now three-fourths of the whole. The thousand changes which we have heard rung upon the Union, the "glorious Union," "the eternal duration of the Union," are ludicrous, and would be amusing, if they were not melancholy. Men of sense and free of sinister motives, laugh at this vapping. No man who has any pretence to the character of a statesman would ever utter such inanities. They may do for school-boy exercises, or the tinsel of a dull demagogue whose invention is at fault for a better flourish. A statesman would know that the unchangeable laws of the Medes and Persians were not free constitutions; that unchangeable governments will always become despotic governments, because the leading character of all controlling governments is encroachment, to amplify their jurisdiction. He would know this great historical truth; that no territory as large as that of the present United States was ever governed by any other government than a despotism; that this must be an eternal truth; that every free government must feel the pulse of the heart at the extremities and return its pulsations; that there must be a symathetic and responsive public sentiment between all its parts. This can never exist in vast boundaries. The extremities, under one political temperature, are an icy clod; under another, they become putrid and rotten. Whatever name may be given to the regime under which they may slumber or agonize, it must be a corrupt vice-consular system. Instead of wishing the perpetuity of any government over such vast boundaries, the rational lover of liberty should wish for its speedy dissolution, as dangerous to all just and free rule. Is not all this exemplified in our own case? In nine months, in one session of Congress, by a great *coup d'état*, our constitution has been completely and forever subverted. Instead of a well balanced government, all power is vested in one section of the country which is in bitter hostility with the other. And this is the glorious Union which we are to sup-

port, for whose eternal duration we are to pray, and before which the once proud Southron is to bow down. He ought to perish rather!

But let us bring to this great issue brave hearts and well strung nerves, and there will be nothing to fear. If four or five adjoining States shall unite, I do not think that our enemy will venture to attack us.

I hope the South will be immediately roused from the deep sleep which has rendered it as torpid as the winter swallow which has shut its eyes and closed its ears to the alarming dangers that threatens it. But such has been the delusion wrought by the tactics of the fanatics and their allies, the low aspirants to political dominion over you; such the absorbing influence of the hostile Government of the Union and its institutions, and of the national parties growing out of them, as to have neutralized all the functions of the State institutions which have been looked to heretofore as the great guardian of our rights, liberties and character. Such has been the united power of these combined causes that we may fear we shall not be unanimous. But be assured, and let the people be assured, that unless they themselves shall be insensible to honor and to shame, to the most imminent danger and to the remorseless enmity of those who now hold absolute power over them, they must and will act under the agonizing impulse of self-defence, if not from higher motives, and they will discover that nothing short of secession and a reliance on their own strength, will save them from disgrace and ruin. That we will all unite finally in this effort, there can be no doubt, though we may unfortunately not immediately agree. I have sanguine hopes, however, of a better result. But should it be otherwise, let no one, therefore, despair of this united effort; for it must and will take place, though it may be delayed. Let the South continue to agitate the subject by all orderly means, and at all proper times, incessantly, actively, zealously, fearlessly, with a long pull and a strong pull, and the country will be regenerated, disenthralled and saved. Let the people not be beguiled, like the dog Cerberus, with a sop, if it should be offered. We go for our whole rights, or we are dastards. Let them beware of every thing that comes from the seat of the General Government, where there is neither faith nor truth to be found. Let them beware even of those who represent them there; though there are among them good and true men, who deserve the highest praise. Let them dismiss with scorn those who have betrayed them. Let the people beware of the thousand untruths that are daily rung in their ears to lull and deceive them; such as the following: That the Constitution has not been violated; that what our aggressors have been pleased to grant was the best we could get; that California was honestly and constitutionally admitted into the Union; that it was quite just, equitable and modest for a few squatters, and a few ignorant conquered people, to assume the sovereignty of a territory equal in extent to the aggregate of many States, with all the ports and harbors within its bounds on the Pacific Ocean, and the most valuable gold mines in the world; that your slave property is safe, while your tyrannical rulers are industriously striving to destroy it; that it was no outrage to hold forcible possession of the territory of an independent State, which was expressly held in trust for that State, and to

threaten her with arms if she attempted to enter it; that Texas will be benefitted by the dismemberment of her territory, and the destruction of her fine, bold, uneffaceable natural boundary. In fine, that a bribe may be tendered without insult, and accepted without disgrace. Above all, let the people beware of the insidious, jesuitical cry of the Union, the "glorious Union." What have we left in the Union but task-masters? Have we power to carry, or even influence a single measure in which the South is interested? Carlyle says that the great right and blessing of a slave is to be obliged to work, and that for a kind master. The great right and blessing of the Southern man under the "glorious Union" is to be obliged to obey—and to obey whom? A kind master? one protecting his rights and his property, or respecting his feelings?

Let the people beware of the impudent slang about the benefits to the South, of what has been by a gross abuse of terms called the compromise. A compromise must be the act of more parties than one, and must embrace the consent of both. In a compromise there is giving and taking. We have indeed given enough; or rather, it has been taken from us. But what have we gained? Nothing—absolutely nothing. If any thing, name it. The fugitive slave bill, do you say, which has been made to figure as a gain? It was ours before under the sacred pledge of the Constitution. The bill was only an attempt to secure us against the bad faith of our opponents. We have not got even that, nor will we ever get it. But if it were faithfully executed, it is too paltry a thing to be named in such an argument.

It has been attempted to say that we have got clear of the Wilmot Proviso. On the contrary, it has been fixed irrevocably on us. Does it not already cover all California? It requires nothing but the establishment of new Free States, to cover all else, for which they have the machinery ready, with the power, in spite of us, to work it at their pleasure, and to bring in New Mexico, Utah, and a dozen more. Nay, if Texas submit, this proviso will cover a large extent of territory pledged to be converted into slave States, which the original proviso never was intended to embrace. I ask again, what has the compromise given? Nothing, absolutely nothing.

There is another danger of which the people ought to beware. We have among us many busy active alien counsellors, who are not our friends, and have no love for us or our institutions. I abhor proscription as unjust and dishonorable, and I so much honor the love of one's native land, that I would ask no more of those who cannot think and feel with us than neutrality; but that ought to be exacted. Those who have made the South their country in honesty and truth, and think and feel with us, I would embrace with our "heart of hearts," and take them to our bosoms as if they were "to the manor born."

In conclusion, I pray God, in his merciful providence, to release the faculties of Southern men from the awful torpor which so utterly benumbs them, to disperse their delusions, to inspire them with some love of country, to endue them with some self respect, with some sense of honor, some fear of shame and degradation. If He shall, in his goodness and mercy, so do, we shall not much longer deliberate, but act with the spirit of men,—of freemen, as a band of brothers, as men who know

their rights and dare maintain them. The South can hardly overrate its strength when it shall be united. It is no boast to say you are equal to your enemy in arms, and you have to give or withhold what will secure you alliance in war or peace, when you shall desire either. Unite, and you will scatter your enemies as the autumn winds do fallen leaves. Unite, and your slave property shall be protected to the very border of Mason's and Dixon's line. Unite, and the Freesoilers shall, at their peril, be your police to prevent the escape of your slaves; California shall be a slave State; the dismembered territory of Texas shall be restored, and you shall enjoy a full participation in all the territory which was conquered by your blood and treasure. Unite, and you shall form one of the most splendid empires on which the sun ever shone, of the most homogeneous population, all of the same blood and lineage, a soil the most fruitful, and a climate the most lovely. But submit,—submit! The very sound curdles the blood in my veins. But, O! great God, unite us, and a tale of submission shall never be told!

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